

**UNITED STATES BANKRUPTCY COURT**  
**Eastern District of New York**

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(if known)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the **180 days before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

**B 1D (Official Form 1, Exh. D) (12/08) – Cont.**

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. ' 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: **s/ Yosi Shemtov**

**Yosi Shemtov**

Date: **6/9/2009**

United States Bankruptcy Court  
Eastern District of New York

In re Yosi Shemtov, Case No. \_\_\_\_\_  
Debtor Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (1)   | (2)  | (3)   | (4)   | (5)  |
|---|--|---|---|--|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i> | <i>Amount of claim [if secured also state value of security]</i> |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$156,484.24   |
|   |  |   |   | SECURED VALUE:<br>\$650,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$174,071.87   |
|   |  |   |   | SECURED VALUE:<br>\$575,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$36,567.73  |
|   |  |   |   | SECURED VALUE:<br>\$575,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$35,428.39  |
|   |  |   |   | SECURED VALUE:<br>\$575,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$32,244.00  |
|   |  |   |   | SECURED VALUE:<br>\$575,000.00                                   |

In re Yosi Shemtov

Case No. \_\_\_\_\_

Debtor

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (1)   | (2)  | (3)   | (4)   | (5)  |
|---|--|---|---|--|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i> | <i>Amount of claim [if secured also state value of security]</i> |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$250,507.13   |
|   |  |   |   | SECURED VALUE:<br>\$300,000.00                                   |
| Banc of America Home Loans<br>450 American St.<br>Simi Valley, CA 93065 |  |   |   | \$193,029.11   |
|   |  |   |   | SECURED VALUE:<br>\$325,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$187,163.11   |
|   |  |   |   | SECURED VALUE:<br>\$325,000.00                                   |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                      |  |   |   | \$193,191.85   |
|   |  |   |   | SECURED VALUE:<br>\$300,000.00                                   |
| National City<br>4661 E. Main St.<br>Columbus, OH 43213                 |  |   |   | \$95,163.02  |
| AMERICAN EXPRESS<br>PO BOX 360002<br>FT. LAUDERDALE, FL.33329           |  |   |   | \$42,153.45  |

In re Yosi Shemtov

Debtor

Case No. \_\_\_\_\_

Chapter 11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

| (1)   | (2)  | (3)   | (4)   | (5)  |
|---|--|---|---|--|
| <i>Name of creditor and complete mailing address including zip code</i> | <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i> | <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i> | <i>Indicate if claim is contingent, unliquidated, disputed or subject to setoff</i> | <i>Amount of claim [if secured also state value of security]</i> |
| Chase<br>800 Brooksedge4 Blvd.<br>Westerville, OH 43081                 |  |   |   | \$20,204.73  |

Penalty for making a false statement or concealing property. Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C §§ 152 and 3571.

In re: Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

SCHEDULE A - REAL PROPERTY

| DESCRIPTION AND<br>LOCATION OF<br>PROPERTY           | NATURE OF DEBTOR'S<br>INTEREST IN PROPERTY | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | CURRENT VALUE<br>OF DEBTOR'S<br>INTEREST IN<br>PROPERTY, WITHOUT<br>DEDUCTING ANY<br>SECURED CLAIM<br>OR EXEMPTION | AMOUNT OF<br>SECURED<br>CLAIM |
|--|--|--------------------------------------|--|-------------------------------|
| 100-21 39th Avenue<br>Corona, NY<br>One Family House | Fee Owner                                  |                                      | \$ 300,000.00  | \$ 555,136.53                 |
| 137-82 70 Avenue<br>Flushing, NY<br>Two Family House | Fee Owner                                  |                                      | \$ 325,000.00  | \$ 576,149.71                 |
| 137-84 70 Avenue<br>Flushing, NY<br>Two Family House | Fee Owner                                  |                                      | \$ 325,000.00  | \$ 518,029.11                 |
| 193-53 McLaughlin<br>Hollis, NY<br>One Family House  | Fee Owner                                  |                                      | \$ 650,000.00  | \$ 806,484.24                 |
| 3-27 125 St.<br>College Point                        | Fee Owner                                  |                                      | \$ 300,000.00  | \$ 586,416.51                 |
| 391 Vansiclen<br>Brooklyn, NY<br>One Family House    | Fee Owner                                  |                                      | \$ 300,000.00  | \$ 289,373.30                 |
| 86-80 Midland<br>Jamaica, NY<br>Three Family         | Fee Owner                                  |                                      | \$ 575,000.00  | \$ 750,453.42                 |
| 86-82 Midland<br>Jamaica, NY                         | Fee Owner                                  |                                      | \$ 575,000.00  | \$ 741,315.42                 |
| 86-84 Midland<br>Jamaica, NY                         | Fee Owner                                  |                                      | \$ 575,000.00  | \$ 749,071.87                 |
| 86-86 Midland<br>Jamaica, NY<br>Three Family House   | Fee Owner                                  |                                      | \$ 575,000.00  | \$ 754,227.01                 |
| Total >  |  |                                      | \$4,500,000.00   |                               |

(Report also on Summary of Schedules.)

In re Yosi Shemtov,  
DebtorCase No. \_\_\_\_\_  
(If known)**SCHEDULE B - PERSONAL PROPERTY**

| TYPE OF PROPERTY  | NONE     | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|----------|--------------------------------------|-----------------------------------|--|
| 1. Cash on hand   |          | <b>Cash</b>                          |                                   | <b>100.00</b>  |
| 2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                      |          | <b>Bank of Canada - money market</b> |                                   | <b>100,000.00</b>  |
| Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                         |          | <b>HSBC Checking</b>                 |                                   | <b>2,000.00</b>  |
| Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.                         |          | <b>TD Bank - Checking</b>            |                                   | <b>10,000.00</b>   |
| 3. Security deposits with public utilities, telephone companies, landlords, and others.   | <b>X</b> |                                      |                                   |  |
| 4. Household goods and furnishings, including audio, video, and computer equipment.   |          | <b>Misc. Furn.</b>                   |                                   | <b>2,000.00</b>  |
| 5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.   | <b>X</b> |                                      |                                   |  |
| 6. Wearing apparel.   |          | <b>Wearing Apparel</b>               |                                   | <b>500.00</b>  |
| 7. Furs and jewelry.  | <b>X</b> |                                      |                                   |  |
| 8. Firearms and sports, photographic, and other hobby equipment.  | <b>X</b> |                                      |                                   |  |
| 9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.  |          | <b>Met Life</b>                      |                                   | <b>0.00</b>  |
| 10. Annuities. Itemize and name each issuer.  | <b>X</b> |                                      |                                   |  |
| 11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).) | <b>X</b> |                                      |                                   |  |
| 12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.   | <b>X</b> |                                      |                                   |  |
| 13. Stock and interests in incorporated and unincorporated businesses. Itemize.   |          | <b>Eastern Mechanical NY Inc.</b>    |                                   | <b>0.00</b>  |

In re Yosi Shemtov

Case No. \_\_\_\_\_

Debtor

(If known)

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

| TYPE OF PROPERTY  | NONE     | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|---|----------|--------------------------------------|-----------------------------------|--|
| 14. Interests in partnerships or joint ventures. Itemize.   | <b>X</b> |                                      |                                   |  |
| 15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  | <b>X</b> |                                      |                                   |  |
| 16. Accounts receivable.  |          | <b>Tenants</b>                       |                                   | <b>20,000.00</b>   |
| 17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  | <b>X</b> |                                      |                                   |  |
| 18. Other liquidated debts owed to debtor including tax refunds. Give particulars.  | <b>X</b> |                                      |                                   |  |
| 19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.  | <b>X</b> |                                      |                                   |  |
| 20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | <b>X</b> |                                      |                                   |  |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.  | <b>X</b> |                                      |                                   |  |
| 22. Patents, copyrights, and other intellectual property. Give particulars.   | <b>X</b> |                                      |                                   |  |
| 23. Licenses, franchises, and other general intangibles. Give particulars.  | <b>X</b> |                                      |                                   |  |
| 24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes. | <b>X</b> |                                      |                                   |  |
| 25. Automobiles, trucks, trailers, and other vehicles and accessories.  | <b>X</b> |                                      |                                   |  |
| 26. Boats, motors, and accessories.   | <b>X</b> |                                      |                                   |  |
| 27. Aircraft and accessories.   | <b>X</b> |                                      |                                   |  |
| 28. Office equipment, furnishings, and supplies.  | <b>X</b> |                                      |                                   |  |
| 29. Machinery, fixtures, equipment and supplies used in business.   | <b>X</b> |                                      |                                   |  |
| 30. Inventory.  | <b>X</b> |                                      |                                   |  |
| 31. Animals.  | <b>X</b> |                                      |                                   |  |
| 32. Crops - growing or harvested. Give particulars.   | <b>X</b> |                                      |                                   |  |
| 33. Farming equipment and implements.   | <b>X</b> |                                      |                                   |  |



In re Yosi Shemtov,  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

| TYPE OF PROPERTY   | NONE | DESCRIPTION AND LOCATION OF PROPERTY | HUSBAND, WIFE, JOINT OR COMMUNITY | CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION |
|--|------|--------------------------------------|-----------------------------------|--|
| 34. Farm supplies, chemicals, and feed.                              | X    |                                      |                                   |  |
| 35. Other personal property of any kind not already listed. Itemize. | X    |                                      |                                   |  |
| <u>2</u> continuation sheets attached                                |      |                                      | Total >                           | <b>\$ 134,600.00</b>   |

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

☐ 11 U.S.C. § 522(b)(2)

☒ 11 U.S.C. § 522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875

| DESCRIPTION OF PROPERTY                       | SPECIFY LAW PROVIDING EACH EXEMPTION | VALUE OF CLAIMED EXEMPTION | CURRENT VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION |
|---|--------------------------------------|----------------------------|---|
| 193-53 McLaughlin Hollis, NY One Family House | CPLR § 5206(a)                       | 50,000.00                  | 650,000.00  |
| Met Life                                      | Ins. Law § 3212, CPLR § 5206(i)      | 0.00                       | 0.00  |
| Misc. Furn.                                   | CPLR § 5205(a)(5)                    | 2,000.00                   | 2,000.00  |
| Wearing Apparel                               | U.S.C. §5205(a)                      | 500.00                     | 500.00  |

In re Yosi Shemtov,  
Debtor

Case No. \_\_\_\_\_  
(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.) | CODEBTOR | HUSBAND, WIFE, JOINT OR COMMUNITY | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|---|----------|-----------------------------------|--|------------|--------------|----------|---|---------------------------|
| ACCOUNT NO. 1205314739<br>ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                            |          |                                   | 3-27 125 St.<br>College Point<br><br>VALUE \$300,000.00  |            |              |          | 550,507.13  | 250,507.13                |
| ACCOUNT NO. 1205314682<br>ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                            |          |                                   | 391 Vansiclen<br>Brooklyn, NY<br>One Family House<br><br>VALUE \$300,000.00                    |            |              |          | 240,251.50  | 0.00                      |
| ACCOUNT NO. 1256018688<br>ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                            |          |                                   | 137-82 70 Avenue<br>Flushing, NY<br>Two Family House<br><br>VALUE \$325,000.00                 |            |              |          | 512,163.11  | 187,163.11                |
| ACCOUNT NO. 1256018974<br>ASC<br>7485 New Horizon Way<br>Frederick, MD 21703                            |          |                                   | 100-21 39th Avenue<br>Corona, NY<br>One Family House<br><br>VALUE \$300,000.00                 |            |              |          | 493,191.85  | 193,191.85                |

3 continuation sheets  
attached

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

|                 |               |
|-----------------|---------------|
| \$ 1,796,113.59 | \$ 630,862.09 |
| \$              | \$            |

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Yosi Shemtov

Case No. \_\_\_\_\_

Debtor (If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.) | CODEBTOR | HUSBAND, WIFE, JOINT OR COMMUNITY | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|---|----------|-----------------------------------|--|------------|--------------|----------|---|---------------------------|
| ACCOUNT NO. 1256016056  |          |                                   | 193-53 McLaughlin Hollis, NY<br>One Family House<br>VALUE \$650,000.00                         |            |              |          | 806,484.24  | 156,484.24                |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703  |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1256011787  |          |                                   | 86-80 Midland Jamaica, NY<br>Three Family<br>VALUE \$575,000.00                                |            |              |          | 610,428.39  | 35,428.39                 |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703  |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1256011786  |          |                                   | 86-82 Midland Jamaica, NY<br>VALUE \$575,000.00  |            |              |          | 607,244.00  | 32,244.00                 |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703  |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1205204226  |          |                                   | 86-84 Midland Jamaica, NY<br>VALUE \$575,000.00  |            |              |          | 749,071.87  | 174,071.87                |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703  |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1256011766  |          |                                   | 86-86 Midland Jamaica, NY<br>Three Family House<br>VALUE \$575,000.00                          |            |              |          | 611,567.73  | 36,567.73                 |
| ASC<br>7485 New Horizon Way<br>Frederick, MD 21703  |          |                                   |  |            |              |          |   |                           |

In re Yosi Shemtov

Case No. \_\_\_\_\_

Debtor

(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.) | CODEBTOR | HUSBAND, WIFE, JOINT OR COMMUNITY | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|---|----------|-----------------------------------|--|------------|--------------|----------|---|---------------------------|
| ACCOUNT NO. 140823104   |          |                                   | 137-84 70 Avenue<br>Flushing, NY<br>Two Family House<br><br>VALUE \$325,000.00                 |            |              |          | 518,029.11  | 193,029.11                |
| Banc of America Home Loans<br>450 American St.<br>Simi Valley, CA 93065                                 |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 0039840855  |          |                                   | 86-80 Midland<br>Jamaica, NY<br>Three Family<br><br>VALUE \$575,000.00                         |            |              |          | 140,025.03  | 0.00                      |
| Ocwen<br>12650 Ingenuity Drive<br>Orlando, FL 32826   |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 0039840848  |          |                                   | 86-86 Midland<br>Jamaica, NY<br>Three Family House<br><br>VALUE \$575,000.00                   |            |              |          | 142,659.28  | 0.00                      |
| Ocwen<br>12650 Ingenuity Drive<br>Orlando, FL 32826   |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 0039840860  |          |                                   | 86-82 Midland<br>Jamaica, NY<br><br>VALUE \$575,000.00   |            |              |          | 134,071.42  | 0.00                      |
| Ocwen<br>12650 Ingenuity Drive<br>Orlando, FL 32826   |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 0039767082  |          |                                   | 137-82 70 Avenue<br>Flushing, NY<br>Two Family House<br><br>VALUE \$325,000.00                 |            |              |          | 63,986.60   | 0.00                      |
| Ocwen<br>12650 Ingenuity Drive<br>Orlando, FL 32826   |          |                                   |  |            |              |          |   |                           |

Sheet no. 2 of 3 continuation  
sheets attached to Schedule of  
Creditors Holding Secured  
Claims

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

|               |               |
|---------------|---------------|
| \$ 998,771.44 | \$ 193,029.11 |
| \$            | \$            |

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Yosi Shemtov,  
Debtor

Case No. \_\_\_\_\_  
(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND AN ACCOUNT NUMBER (See Instructions, Above.) | CODEBTOR | HUSBAND, WIFE, JOINT OR COMMUNITY | DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL | UNSECURED PORTION, IF ANY |
|---|----------|-----------------------------------|--|------------|--------------|----------|---|---------------------------|
| ACCOUNT NO. 0039767520  |          |                                   | 100-21 39th Avenue<br>Corona, NY<br>One Family House<br>_____<br>VALUE \$300,000.00            |            |              |          | 61,944.68   | 0.00                      |
| Ocwen<br>12650 Ingenuity Drive<br>Orlando, FL 32826   |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1505857   |          |                                   | 391 Vansiclen<br>Brooklyn, NY<br>One Family House<br>_____<br>VALUE \$300,000.00               |            |              |          | 49,121.80   | 0.00                      |
| Wilshire Credit Corp<br>14523 SW Millikan Way<br>Ste 200<br>Beaverton, OR 97005                         |          |                                   |  |            |              |          |   |                           |
| ACCOUNT NO. 1513535   |          |                                   | 3-27 125 St.<br>College Point<br>_____<br>VALUE \$300,000.00                                   |            |              |          | 35,909.38   | 0.00                      |
| Wilshire Credit Corp<br>14523 SW Millikan Way<br>Ste 200<br>Beaverton, OR 97005                         |          |                                   |  |            |              |          |   |                           |

Sheet no. 3 of 3 continuation  
sheets attached to Schedule of  
Creditors Holding Secured  
Claims

Subtotal >  
(Total of this page)

Total >  
(Use only on last page)

|                 |                 |
|-----------------|-----------------|
| \$ 146,975.86   | \$ 0.00         |
| \$ 6,326,657.12 | \$ 1,258,687.43 |

(Report also on Summary of Schedules) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Domestic Support Obligations**

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

☐ **Deposits by individuals**

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

☐ **Claims for Death or Personal Injury While Debtor Was Intoxicated**

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

**2 continuation sheets attached**



In re Yosi Shemtov,  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.) | CODEBTOR | HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION<br>FOR CLAIM | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT<br>OF CLAIM | AMOUNT<br>ENTITLED TO<br>PRIORITY | AMOUNT<br>NOT<br>ENTITLED TO<br>PRIORITY, IF<br>ANY |
|---|----------|--------------------------------------|--|------------|--------------|----------|--------------------|-----------------------------------|---|
| ACCOUNT NO.   |          |                                      |  |            |              |          |                    |                                   | \$0.00  |

Subtotals >  
(Totals of this page)

|    |      |    |      |    |      |
|----|------|----|------|----|------|
| \$ | 0.00 | \$ | 0.00 | \$ | 0.00 |
| \$ | 0.00 |    |      |    |      |
|    |      | \$ | 0.00 | \$ | 0.00 |

Total >  
(Use only on last page of the completed  
Schedule E. Report also on the Summary of  
Schedules.)

Total >  
(Use only on last page of the completed  
Schedule E. If applicable, report also on the  
Statistical Summary of Certain Liabilities  
and Related Data. )

In re Yosi Shemtov  
DebtorCase No. \_\_\_\_\_  
(If known)**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br>(See instructions above.)                  | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION FOR<br>CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM |
|--|--|---|------------|--------------|----------|--------------------|
| ACCOUNT NO. <b>5477 5342 0026 6014</b><br><br><b>Advanta</b><br><b>POB 844</b><br><b>Spring House, Pa 19477</b>                |  | <b>Credit Card</b>  |            |              |          | <b>8,765.89</b>    |
| ACCOUNT NO. <b>3783 404146 74006</b><br><br><b>AMERICAN EXPRESS</b><br><b>PO BOX 360002</b><br><b>FT. LAUDERDALE, FL.33329</b> |  | <b>Credit Card</b>  |            |              |          | <b>42,153.45</b>   |
| ACCOUNT NO. <b>5401 6830 8085 7050</b><br><br><b>Chase</b><br><b>800 Brooksedge4 Blvd.</b><br><b>Westerville, OH 43081</b>     |  | <b>Credit Card</b>  |            |              |          | <b>20,204.73</b>   |
| ACCOUNT NO. <b>5424 1810 4145 7643</b><br><br><b>Citibank</b><br><b>POB 183058</b><br><b>Columbus, OH 43218</b>                |  | <b>Credit Card</b>  |            |              |          | <b>9,563.15</b>    |

1 Continuation sheets attached

|            |                     |
|------------|---------------------|
| Subtotal > | \$ <b>80,687.22</b> |
| Total >    | \$                  |

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

| CREDITOR'S NAME,<br>MAILING ADDRESS<br>INCLUDING ZIP CODE,<br>AND ACCOUNT NUMBER<br><i>(See instructions above.)</i> | CODEBTOR<br>HUSBAND, WIFE, JOINT<br>OR COMMUNITY | DATE CLAIM WAS<br>INCURRED AND<br>CONSIDERATION FOR<br>CLAIM.<br>IF CLAIM IS SUBJECT TO<br>SETOFF, SO STATE | CONTINGENT | UNLIQUIDATED | DISPUTED | AMOUNT OF<br>CLAIM |
|--|--|---|------------|--------------|----------|--------------------|
| ACCOUNT NO. <b>5466 1602 2204 1251</b><br><b>Citibank</b><br><b>POB 183058</b><br><b>Columbus, OH 43218</b>          |  | Credit Card   |            |              |          | 1,240.21           |
| ACCOUNT NO. <b>4489299630141968</b><br><b>National City</b><br><b>4661 E. Main St.</b><br><b>Columbus, OH 43213</b>  |  | Credit Card   |            |              |          | 95,163.02          |

Sheet no. 1 of 1 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

|            |    |            |
|------------|----|------------|
| Subtotal > | \$ | 96,403.23  |
| Total >    | \$ | 177,090.45 |

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re: Yosi Shemtov Debtor, Case No. \_\_\_\_\_ (If known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☒ Check this box if debtor has no executory contracts or unexpired leases.

| NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT. | DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT. |
|--|--|
|  |  |

In re: **Yosi Shemtov**

Debtor

Case No.

(If known)

SCHEDULE H - CODEBTORS

☒ Check this box if debtor has no codebtors.

| NAME AND ADDRESS OF CODEBTOR | NAME AND ADDRESS OF CREDITOR |
|------------------------------|------------------------------|
|------------------------------|------------------------------|

In re **Yosi Shemtov**

Case No. \_\_\_\_\_

Debtor

(If known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

|  |                                 |         |
|--|---------------------------------|---------|
| Debtor's Marital Status: <b>Divorced</b> | DEPENDENTS OF DEBTOR AND SPOUSE |         |
|  | RELATIONSHIP(S):                | AGE(S): |
| <b>Employment:</b>                       | DEBTOR                          | SPOUSE  |
| Occupation                               |                                 |         |
| Name of Employer                         |                                 |         |
| How long employed                        |                                 |         |
| Address of Employer                      |                                 |         |

INCOME: (Estimate of average or projected monthly income at time case filed)

DEBTOR

SPOUSE

1. Monthly gross wages, salary, and commissions  
(Prorate if not paid monthly.)

\$ 0.00 \$ \_\_\_\_\_

2. Estimate monthly overtime

\$ 0.00 \$ \_\_\_\_\_

3. SUBTOTAL

\$ 0.00 \$ \_\_\_\_\_

4. LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

\$ 0.00 \$ \_\_\_\_\_

b. Insurance

\$ 0.00 \$ \_\_\_\_\_

c. Union dues

\$ 0.00 \$ \_\_\_\_\_

d. Other (Specify) \_\_\_\_\_

\$ 0.00 \$ \_\_\_\_\_

5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ 0.00 \$ \_\_\_\_\_

6. TOTAL NET MONTHLY TAKE HOME PAY

\$ 0.00 \$ \_\_\_\_\_

7. Regular income from operation of business or profession or farm  
(Attach detailed statement)

\$ 0.00 \$ \_\_\_\_\_

8. Income from real property

\$ 20,750.00 \$ \_\_\_\_\_

9. Interest and dividends

\$ 0.00 \$ \_\_\_\_\_

10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.

\$ 0.00 \$ \_\_\_\_\_

11. Social security or other government assistance  
(Specify) \_\_\_\_\_

\$ 0.00 \$ \_\_\_\_\_

12. Pension or retirement income

\$ 0.00 \$ \_\_\_\_\_

13. Other monthly income

(Specify) \_\_\_\_\_

\$ 0.00 \$ \_\_\_\_\_

14. SUBTOTAL OF LINES 7 THROUGH 13

\$ 20,750.00 \$ \_\_\_\_\_

15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

\$ 20,750.00 \$ \_\_\_\_\_

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ 20,750.00

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document.:

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

NONE

In re Yosi Shemtov

Debtor

Case No. \_\_\_\_\_  
(If known)**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

|  |    |                  |
|--|----|------------------|
| 1. Rent or home mortgage payment (include lot rented for mobile home)  | \$ | <u>40,450.00</u> |
| a. Are real estate taxes included?      Yes _____ No <u>✓</u>  |    |                  |
| b. Is property insurance included?      Yes _____ No <u>✓</u>  |    |                  |
| 2. Utilities: a. Electricity and heating fuel  | \$ | <u>3,745.20</u>  |
| b. Water and sewer   | \$ | <u>0.00</u>      |
| c. Telephone   | \$ | <u>0.00</u>      |
| d. Other <b>Gas</b>  | \$ | <u>1,215.00</u>  |
| 3. Home maintenance (repairs and upkeep)   | \$ | <u>1,500.00</u>  |
| 4. Food  | \$ | <u>500.00</u>    |
| 5. Clothing  | \$ | <u>100.00</u>    |
| 6. Laundry and dry cleaning  | \$ | <u>50.00</u>     |
| 7. Medical and dental expenses   | \$ | <u>50.00</u>     |
| 8. Transportation (not including car payments)   | \$ | <u>500.00</u>    |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.  | \$ | <u>100.00</u>    |
| 10. Charitable contributions   | \$ | <u>0.00</u>      |
| 11. Insurance (not deducted from wages or included in home mortgage payments)  |    |                  |
| a. Homeowner's or renter's   | \$ | <u>700.00</u>    |
| b. Life  | \$ | <u>0.00</u>      |
| c. Health  | \$ | <u>0.00</u>      |
| d. Auto  | \$ | <u>0.00</u>      |
| e. Other _____   | \$ | <u>0.00</u>      |
| 12. Taxes (not deducted from wages or included in home mortgage payments)  |    |                  |
| (Specify) _____  | \$ | <u>0.00</u>      |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)   |    |                  |
| a. Auto  | \$ | <u>0.00</u>      |
| b. Other _____   | \$ | <u>0.00</u>      |
| 14. Alimony, maintenance, and support paid to others   | \$ | <u>0.00</u>      |
| 15. Payments for support of additional dependents not living at your home  | \$ | <u>0.00</u>      |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)   | \$ | <u>0.00</u>      |
| 17. Other _____  | \$ | <u>0.00</u>      |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.) | \$ | <u>48,910.20</u> |

19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

**20. STATEMENT OF MONTHLY NET INCOME**

|  |    |                   |
|--|----|-------------------|
| a. Average monthly income from Line 15 of Schedule I | \$ | <u>20,750.00</u>  |
| b. Average monthly expenses from Line 18 above       | \$ | <u>48,910.20</u>  |
| c. Monthly net income (a. minus b.)                  | \$ | <u>-28,160.20</u> |



**United States Bankruptcy Court**  
**Eastern District of New York**

In re **Yosi Shemtov**,  
Debtor

Case No. \_\_\_\_\_

Chapter **11**

## SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

| NAME OF SCHEDULE  | ATTACHED<br>(YES/NO) | NO. OF SHEETS | ASSETS          | LIABILITIES     | OTHER        |
|---|----------------------|---------------|-----------------|-----------------|--------------|
| A - Real Property   | YES                  | 1             | \$ 4,500,000.00 |                 |              |
| B - Personal Property   | YES                  | 3             | \$ 134,600.00   |                 |              |
| C - Property Claimed<br>as Exempt   | YES                  | 1             |                 |                 |              |
| D - Creditors Holding<br>Secured Claims   | YES                  | 4             |                 | \$ 6,326,657.12 |              |
| E - Creditors Holding Unsecured<br>Priority Claims<br>(Total of Claims on Schedule E) | YES                  | 3             |                 | \$ 0.00         |              |
| F - Creditors Holding Unsecured<br>Nonpriority Claims                                 | YES                  | 2             |                 | \$ 177,090.45   |              |
| G - Executory Contracts and<br>Unexpired Leases                                       | YES                  | 1             |                 |                 |              |
| H - Codebtors   | YES                  | 1             |                 |                 |              |
| I - Current Income of<br>Individual Debtor(s)   | YES                  | 2             |                 |                 | \$ 20,750.00 |
| J - Current Expenditures of<br>Individual Debtor(s)                                   | YES                  | 1             |                 |                 | \$ 48,910.20 |
| TOTAL   |                      | 19            | \$ 4,634,600.00 | \$ 6,503,747.57 |              |

**United States Bankruptcy Court  
Eastern District of New York**

In re **Yosi Shemtov**  
Debtor

Case No. \_\_\_\_\_  
Chapter **11**

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

| <b>Type of Liability</b>  | <b>Amount</b>  |
|---|----------------|
| Domestic Support Obligations (from Schedule E)  | \$             |
| Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)  | \$             |
| Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed) | \$             |
| Student Loan Obligations (from Schedule F)  | \$             |
| Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E.                  | \$             |
| Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)                           | \$             |
| <b>TOTAL</b>  | <b>\$ 0.00</b> |

**State the following:**

|   |                     |
|---|---------------------|
| Average Income (from Schedule I, Line 16)   | <b>\$ 20,750.00</b> |
| Average Expenses (from Schedule J, Line 18)   | <b>\$ 48,910.20</b> |
| Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C Line 20 ) | <b>\$ 20,750.00</b> |

**United States Bankruptcy Court  
Eastern District of New York**

In re **Yosi Shemtov**  
Debtor

Case No. \_\_\_\_\_  
Chapter **11**

**State the following:**

|  |    |                       |
|--|----|-----------------------|
| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |    | <b>\$1,258,687.43</b> |
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.            | \$ |                       |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column |    | \$                    |
| 4. Total from Schedule F   |    | <b>\$177,090.45</b>   |
| 5. Total of non-priority unsecured debt (sum of 1, 3, and 4)               |    | <b>\$1,435,777.88</b> |

In re Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
(If known)

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of \_\_\_\_\_ 21 \_\_\_\_\_ sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 6/9/2009

Signature: s/ Yosi Shemtov  
Yosi Shemtov  
Debtor

[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

UNITED STATES BANKRUPTCY COURT  
Eastern District of New York

In re: Yosi Shemtov  
Debtor

Case No. \_\_\_\_\_  
Chapter 11

**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

|   |    |                  |
|---|----|------------------|
| For legal services, I have agreed to accept           | \$ | <u>20,000.00</u> |
| Prior to the filing of this statement I have received | \$ | <u>20,000.00</u> |
| Balance Due   | \$ | <u>0.00</u>      |

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☐ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]

**None**

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

**Depositions, Investigations and Second Adversarial Proceedings, Objections 341 Meetings**

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 6/9/2009

/s/Bruce Weiner

Bruce Weiner, Bar No. BW-4730

**Rosenberg, Musso & Weiner**

Attorney for Debtor(s)

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In Re

BANKRUPTCY NO.

**Yosi Shemtov**

Debtor.

**DECLARATION RE: ELECTRONIC FILING OF  
PETITION, SCHEDULES & STATEMENTS**

**PART I - DECLARATION OF PETITIONER**

I **Yosi Shemtov**

the undersigned debtor(s), ***hereby declare under penalty of perjury*** that the information I have given my attorney and the information provided in the electronically filed petition, statements, schedules is true and correct. I consent to my attorney sending my petition, this declaration, statements and schedules to the United States Bankruptcy Court. I understand that this DECLARATION RE: ELECTRONIC FILING is to be filed with the Clerk once all schedules have been filed electronically but, in no event, no later than 15 days following the date the petition was electronically filed. I understand that failure to file the signed original of this DECLARATION will cause my case to be dismissed pursuant to 11 U.S.C. § 707(a)(3) without further notice.

☐ [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of 11 United States Code, understand the relief available under each such chapter, and choose to proceed under Chapter 7. I request relief in accordance with the chapter specified in this petition.

☐ [If petitioner is a corporation or partnership] I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

Dated: **6/9/2009**

Signed: **s/ Yosi Shemtov**  
**Yosi Shemtov**  
(Applicant)

**PART II - DECLARATION OF ATTORNEY**

I ***declare under penalty of perjury*** that I have reviewed the above debtor's petition and that the information is complete and correct to the best of my knowledge. The debtor(s) will have signed this form before I submit the petition, schedules, and statements. I will give the debtor(s) a copy of all forms and information to be filed with the United States Bankruptcy Court, and have followed all other requirements in the most recent attachment to G.O. #162. I further declare that I have examined the above debtor's petition, schedules, and statements and, to the best of my knowledge and belief, they are true, correct, and complete. If an individual, I further declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and have explained the relief available under each such chapter. This declaration is based on all information of which I have knowledge.

Dated: **6/9/2009**

**/s/Bruce Weiner**  
**Bruce Weiner**  
Attorney for Debtor(s)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

**NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a

**1. Services Available from Credit Counseling Agencies**

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

**Certificate of the Debtor**

I, the debtor, affirm that I have received and read this notice.

**Yosi Shemtov**

Printed Name of Debtor

Case No. (if known) \_\_\_\_\_

**Xs/ Yosi Shemtov**

**Yosi Shemtov**

Signature of Debtor

**6/9/2009**

Date



Advanta  
POB 844  
Spring House, Pa 19477

AMERICAN EXPRESS  
PO BOX 360002  
FT. LAUDERDALE, FL.33329

ASC  
7485 New Horizon Way  
Frederick, MD 21703

Banc of America Home Loan  
450 American St.  
Simi Valley, CA 93065

Chase  
800 Brooksedge4 Blvd.  
Westerville, OH 43081

Citibank  
POB 183058  
Columbus, OH 43218

National City  
4661 E. Main St.  
Columbus, OH 43213

Ocwen  
12650 Ingenuity Drive  
Orlando, FL 32826

Wilshire Credit Corp  
14523 SW Millikan Way  
Ste 200  
Beaverton, OR 97005

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

\_\_\_\_\_x

In Re:

Yosi Shemtov

Case No.

Chapter        11

Debtor(s)

\_\_\_\_\_x

**VERIFICATION OF CREDITOR MATRIX/LIST OF CREDITORS**

The undersigned debtor(s) or attorney for the debtor(s) hereby verifies that the creditor matrix/list of creditors submitted herein is true and correct to the best of his or her knowledge.

Dated: **6/9/2009**

s/ Yosi Shemtov

**Yosi Shemtov**

Debtor

/s/Bruce Weiner

**Bruce Weiner**

Attorney for Debtor

Ocwen  
12650 Ingenuity Drive  
Orlando, FL 32826

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7485 New Horizon Way  
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Orlando, FL 32826

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Orlando, FL 32826

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4661 E. Main St.  
Columbus, OH 43213

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FT. LAUDERDALE, FL.33329

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Ste 200  
Beaverton, OR 97005

ASC  
7485 New Horizon Way  
Frederick, MD 21703

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

**STATEMENT PURSUANT TO LOCAL  
BANKRUPTCY RULE 1073-2(b)**

**DEBTOR(S):** Yosi Shemtov **CASE NO.:** \_\_\_\_\_

Pursuant to Local Bankruptcy Rule 1073-2(b), the debtor (*or any other petitioner*) hereby makes the following disclosure concerning Related Cases, to the petitioner's best knowledge, information and belief:

[NOTE: Cases shall be deemed "Related Cases" for purposes of E.D.N.Y. LBR 1073-1 and E.D.N.Y. LBR 1073-2 if the earlier case was pending at any time within six years before the filing of the new petition, and the debtors in such cases: (i) are the same; (ii) are spouses or ex-spouses; (iii) are affiliates, as defined in 11 U.S.C. § 101(2); (iv) are general partners in the same partnership; (v) are a partnership and one or more of its general partners; (vi) are partnerships which share one or more common general partners; or (vii) have, or within 180 days of the commencement of either of the Related Cases had, an interest in property that was or is included in the property of another estate under 11 U.S.C. § 541(a).]

☒ NO RELATED CASE IS PENDING OR HAS BEEN PENDING AT ANY TIME.

☐ THE FOLLOWING RELATED CASE(S) IS PENDING OR HAS BEEN PENDING:

1. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_ / \_\_\_\_\_

CASE STILL PENDING (Y/N): N [If closed] Date of closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): \_\_\_\_\_

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN  
SCHEDULE "A" OF RELATED CASE: \_\_\_\_\_

2. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_ / \_\_\_\_\_

CASE STILL PENDING (Y/N): N [If closed] Date of closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (*Refer to NOTE above*): \_\_\_\_\_

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN  
SCHEDULE "A" OF RELATED CASE: \_\_\_\_\_

(OVER)

DISCLOSURE OF RELATED CASE S (cont'd)

3. CASE NO.: \_\_\_\_\_ JUDGE: \_\_\_\_\_ DISTRICT/DIVISION: \_\_\_\_\_ / \_\_\_\_\_

CASE STILL PENDING (Y/N): **N** [If closed] Date of closing: \_\_\_\_\_

CURRENT STATUS OF RELATED CASE: \_\_\_\_\_  
(Discharged/awaiting discharge, confirmed, dismissed, etc.)

MANNER IN WHICH CASES ARE RELATED (Refer to NOTE above): \_\_\_\_\_

REAL PROPERTY LISTED IN DEBTOR'S SCHEDULE "A" ("REAL PROPERTY") WHICH WAS ALSO LISTED IN  
SCHEDULE "A" OF RELATED CASE: \_\_\_\_\_

NOTE: Pursuant to 11 U.S.C. § 109(g), certain individuals who have had prior cases dismissed within the preceding 180 days may not be eligible to be debtors. Such an individual will be required to file a statement in support of his/her eligibility to file.

TO BE COMPLETED BY DEBTOR/PETITIONER'S ATTORNEY, AS APPLICABLE:

I am admitted to practice in the Eastern District of New York (Y/N): **Y**

CERTIFICATION (to be signed by pro se debtor/petitioner or debtor/petitioner's attorney, as applicable):

I certify under penalty of perjury that the within bankruptcy case is not related to any case now pending or pending at any time, except as indicated elsewhere on this form.

**/s/Bruce Weiner**

**Bruce Weiner**

Signature of Debtor's Attorney

**s/ Yosi Shemtov**

**Yosi Shemtov**

Signature of Pro Se Debtor/Petitioner

**193-53 McLaughlin Avenue  
Queens, NY 11423**

Mailing Address of Debtor/Petitioner

City, State, Zip Code

Area Code and Telephone Number

Failure to fully and truthfully provide all information required by the E.D.N.Y. LBR 1073-2 Statement may subject the debtor or any other petitioner and their attorney to appropriate sanctions, including without limitation conversion, the appointment of a trustee or the dismissal of the case with prejudice.

**NOTE** : Any change in address must be reported to the Court immediately IN WRITING. Dismissal of your petition may otherwise result.